

AMENDED IN ASSEMBLY JANUARY 3, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 629

Introduced by Assembly Member Vincent

February 19, 1999

An act to add Section ~~12300.8~~ 15631.5 to the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 629, as amended, Vincent. Elderly and ~~disabled persons~~ dependent adult: abuse prevention.

Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes various procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse.

This bill would require the State Department of Social Services to establish, maintain, and publicize a toll-free telephone number for the purposes of receiving reports of suspected elder and dependent adult abuse, and to establish a method whereby calls received by the telephone number would be immediately redirected to the appropriate local adult protective services agency.

~~Existing law provides for the In-Home Supportive Services (IHSS) program, under which, either through employment by the recipient, or by or through contract by the county, qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Counties are responsible for the administration of the IHSS program.~~

~~This bill would require the State Department of Social Services to establish a procedure to prohibit the provision of services to elderly or dependent adults, including those persons receiving personal care services under the Medi-Cal program, unless the persons providing the services have a criminal background clearance, and would require the department to establish a procedure to ensure that any person receiving IHSS services, including personal care services under the Medi-Cal program, shall be provided with a telephone number through which that person may call for help if he or she believes that he or she is subject to abuse. By increasing the responsibilities of counties in the administration of the IHSS program, this bill would result in a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes *no*.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 12300.8 is added to the Welfare~~
- 2 *SECTION 1. The Legislature finds and declares all of*
- 3 *the following:*
- 4 *(a) California's elder population continues to grow at*
- 5 *a large rate.*
- 6 *(b) One in 15 suspected cases of elder abuse is*
- 7 *reported to authorities.*
- 8 *(c) The creation of a simplified method of reporting*
- 9 *suspected elder and dependent adult abuse would assist*

1 the public by minimizing confusion over which entity to
2 call to report the suspected abuse.

3 SEC. 2. Section 15631.5 is added to the Welfare and
4 Institutions Code, to read:

5 15631.5. (a) The State Department of Social Services
6 shall establish, maintain, and publicize a toll-free
7 telephone number for the purposes of receiving reports
8 of suspected elder and dependent adult abuse. The
9 department shall establish a method whereby calls
10 received by the telephone number shall be immediately
11 redirected to the appropriate local adult protective
12 services agency.

13 (b) The department shall take into consideration the
14 diversity of languages spoken in California when
15 establishing the telephone number.

16 (c) The telephone number shall be accessible from
17 anywhere in the United States.

18 and Institutions Code, to read:

19 ~~12300.8. (a) The department shall establish a~~
20 ~~procedure to prohibit the provision of services by a~~
21 ~~person to an elderly or dependent adult under this article,~~
22 ~~including those adults receiving personal care services~~
23 ~~under Section 14132.95, unless the person providing the~~
24 ~~services has a criminal background clearance, indicating~~
25 ~~that he or she has not been convicted of any violent crime~~
26 ~~or any other crime other than a minor traffic violation.~~

27 ~~(b) The department shall conduct the criminal~~
28 ~~background check required by subdivision (a).~~

29 ~~(c) The department shall establish a procedure to~~
30 ~~ensure that any person receiving services under this~~
31 ~~article, including personal care services under Section~~
32 ~~14132.95, shall be provided with a telephone number~~
33 ~~through which that person may call for help if he or she~~
34 ~~believes that he or she is subject to abuse.~~

35 ~~SEC. 2. Notwithstanding Section 17610 of the~~
36 ~~Government Code, if the Commission on State Mandates~~
37 ~~determines that this act contains costs mandated by the~~
38 ~~state, reimbursement to local agencies and school~~
39 ~~districts for those costs shall be made pursuant to Part 7~~
40 ~~(commencing with Section 17500) of Division 4 of Title~~

~~1 2 of the Government Code. If the statewide cost of the~~
~~2 claim for reimbursement does not exceed one million~~
~~3 dollars (\$1,000,000), reimbursement shall be made from~~
~~4 the State Mandates Claims Fund.~~

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